



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 29 2003

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Mr. Edward H. Murphy
American Petroleum Institute
1220 L Street, N.W.
Washington, DC 20005-4070

Dear Mr. Murphy:

This letter is in response to requests by several gasoline refiners and importers that the United States Environmental Protection Agency (EPA) exercise enforcement discretion to allow use of certain alternative test methods for measuring the sulfur content of gasoline and butane, pending a rulemaking that would allow use of these alternative test methods.

The motor vehicle fuels regulations, at 40 C.F.R. § 80.330(c) and 40 C.F.R. § 80.46(a), specify the test methods that refiners and importers must use to determine the sulfur content of gasoline, and butane blended with gasoline, beginning January 1, 2004, or January 1 of the first year that a refiner or importer generates sulfur credits or allotments, whichever is earlier. These regulations require that the sulfur content of gasoline must be determined using American Society for Testing and Materials (ASTM) method D 2622-98 (Standard Test Method for Sulfur in Petroleum Products by Wavelength X-ray Fluorescence Spectrometry), and that the sulfur content of butane blended with gasoline must be determined using ASTM method D 3246-96 (Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry).

EPA believes that certain alternative sulfur test methods are appropriate for determining the sulfur content of gasoline or butane, provided that the test results are correlated to the designated test methods, ASTM D 2622-98 or ASTM D 3246-96, as applicable. Therefore, EPA is initiating a rulemaking to allow use of these alternative sulfur test methods.

Under the rule change, the following test methods could be used to determine the sulfur content of gasoline:

ASTM method D 5453-00^{e1} (Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence);

ASTM method D 6428-99 (Test Method for Total Sulfur in Liquid Aromatic Hydrocarbons and Their Derivatives by Oxidative Combustion and Electrochemical Detection);
and

ASTM method D 3120-96 (Standard Test Method for Trace Quantities of Sulfur in Light Petroleum Hydrocarbons by Oxidative Microcoulometry).

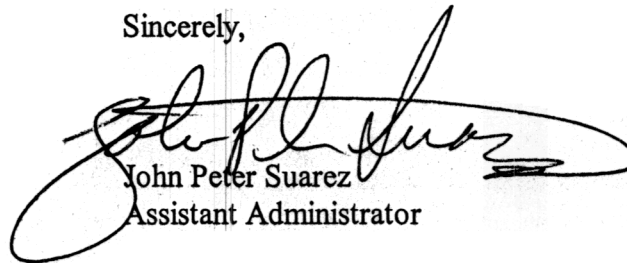
Also under the rule change, the following test method could be used to determine the sulfur content of gasoline blended with gasoline:

ASTM method D 4468-85 (Standard Test Method for Total Sulfur in Gaseous Fuels by Hydrogenolysis and Rateometric Colorimetry).

Pending completion of this rule change, EPA will exercise its enforcement discretion to allow use of these alternative sulfur test methods, provided that the alternative test results are correlated to the designated sulfur test methods, as described above. This exercise of enforcement discretion is effective immediately and will continue until the date the rule change described above become effective, or until December 31, 2004, whichever is earlier.

If you have any questions regarding this matter, you may call Erv Pickell, Fuels Team Leader, at (303) 236-9506.

Sincerely,

A handwritten signature in black ink, appearing to read "John Peter Suarez", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

John Peter Suarez
Assistant Administrator